

September 10, 2024

The Otoe County Board of Commissioners convened in regular session at 8:30 a.m. on September 10, 2024, to audit and sign regular claims and payroll claims and to take care of such other matters as are on the agenda for this meeting. Advance notice of this meeting was published in the Nebraska City News Press and posted in at least three public places, including the County's website. This meeting was open to the public, and the agenda was kept current, and is on file for public inspection at the office of the Otoe County Clerk during regular business hours.

The meeting was called to order by Commissioner Jerad Sornson. Answering present at roll call were Commissioner Sornson, Commissioner Freshman, Commissioner Parsons, Commissioner Crownover, and Commissioner Cole.

Commissioner Sornson informed the public in attendance that a current copy of the Open Meetings Act was located near the door of the courtroom.

Freshman made a motion, seconded by Crownover, to accept the agenda as posted. Voting aye were Sornson, Freshman, Parsons, Crownover, and Cole. Nay – none. Motion carried.

Parsons made a motion, seconded by Freshman, to accept the minutes from the previous meeting and not have them read as each member was furnished with a copy of same. Voting aye were Commissioners Freshman, Parsons, Crownover, Cole, and Sornson. Nay – none. Motion carried.

Having reviewed the regular claims in advance of this meeting, Cole made a motion, seconded by Crownover, to approve payment of the regular claims. Voting aye were Parsons, Crownover, Cole, Sornson, and Freshman. Nay – none. Motion carried.

Freshman made a motion, seconded by Cole, to audit and sign payroll claims. Voting aye were, Crownover, Cole, Sornson, Freshman, and Parsons. Nay – none. Motion carried.

Chairman Sornson acknowledged receipt of the monthly report from the Clerk of the District Court certifying fee collections in the amount of \$33,637.81 for the month of August 2024. Said report will be filed in the County Clerk's Office.

The honoree for the August Veteran of the Month was unable to attend today's meeting. The presentation was tabled and will take place during a future meeting.

Sornson opened a public hearing to hear comments regarding a request from Omaha Public Power District (OPPD), a political subdivision of the State of Nebraska, for Siting Approval for a Fossil Fuel Combustion Ash Disposal Area. The proposed location of the site is 382 acres located near 6968 L Rd, Nebraska City, NE. The property consists of approximately 382 acres and will be used for development and operations of ash disposal areas. Development of the site will initially use about 40 acres for the disposal area and provide approximately 20 years of ash disposal needs. Long-term, the property will be developed, as needed over the next 50-60 years. Sornson stated that comments will be taken at the public meeting or written comments may be submitted to the Board of Commissioners. Written comments may be postmarked no later than 30 days following the public meeting. Chris Meeks, OPPD representative, stated that 382 acres of land was purchased for the proposed disposal site. The location of the site was chosen as the land is contiguous with other property owned by OPPD and out of the floodplain. The land is set back from public view and OPPD will fence the area and use existing trees for screening. The planning commission approved the application with a 6 to 1 vote, with the need to clarify the access and effect on Steamboat Trace Trail. Mr. Meeks stated that they are working on how to remedy the concern of the accessing the trail. He stated that the disposal area would be used for ash from the Nebraska City station only except for possibly the North Omaha station. The North Omaha station is transitioning from coal, so that would be limited. OPPD sent letters to landowners within 1000 feet of the area. Construction is estimated to start in approximately 2 years with 40 acres being developed initially. Carol Crook spoke in opposition of the disposal area. Her family farms cash crop and beef. She stated that she opposed due to the impact on farming and the Nebraska City community. She discussed concerns of health, economic, and Native American Artifacts.

The health concern is for the air and water quality. When she questioned entities prior to the hearing, she was unable to get a response on how often the water would be tested and if the results would be public information. Their cattle depend on the stream fed water. She had concerns of the amount of mercury that would be left by the ash and put into the ground and water. The economic concerns were that Seven Sisters Road receives national attention with no money spent and the disposal area would affect that. Steamboat Trace Trail brings people to Nebraska City for lodging, shopping, etc. Mrs. Crook stated that with the land being purchased by OPPD, it would be removed from the tax rolls and would affect the Nebraska City Public Schools. The concern of Native American artifacts is that her adjoining land is protected by the Historical Society and has the highest point in Otoe County. They have found Native American artifacts on their property and have concerns that artifacts that could be on the land purchased by OPPD could be destroyed or buried forever. Alan Jeanneret also spoke in opposition of the disposal site. He had several questions for the OPPD representatives including if an environmental impact statement had been prepared yet, would previous buried ash in the flood plain be moved, would it be buried ash only, what toxins are they concerned about, what happens to the land if OPPD goes to natural gas. He had concerns about the forestry around the area and the roads. Tammy Jeanneret had inquired about the possibility of the road being paved. OPPD could not provide the number of trucks that would be hauling to the site daily but explained the process. Kyle Hauschild, Nemaha NRD representative, spoke in the neutral capacity on the issue. He addressed concerns of the NRD such as the runoff of water and the impact it would have on the water, dust control, and traffic. A new location for the trail head was discussed. OPPD addressed the concerns of all that spoke. They are working with NDEE for environmental studies and the results will be public when they are available. The previous buried ash will be sealed and closed; the proposed site would be used for new disposal. There would be no ash from other states disposed at the site. A representative listed several of the metals that will be tested for. They will be required to monitor this a minimum of twice a year. If the plant were to go to natural gas, the site would be closed and look like a green site. The dust is wet down before transporting to the site and then a glue-like substance is applied at the disposal site. This substance would help in controlling the dust from blowing onto the road and trail. Mr. Meeks addressed the tax issue stating the land would be added to the Payment in Lieu of Taxes (PILT) payment made by OPPD annually. There was discussion of how that amount would not equal what would be lost in tax revenue as Otoe County's portion of the PILT tax is much smaller than that received by other counties such as Douglas. He explained that the amount is proportioned by population and customers in the county. It was noted that the Nebraska City station is the largest power producing station for OPPD and that even though the number of customers is smaller than Douglas County, it is located in the county and that Nebraska City Utilities, which services a large portion of the county, purchases power from OPPD and could be accounted for. There was discussion of a new trailhead being established. The public hearing was closed. No action was taken.

Kim Tanner, Cooper Nuclear Emergency Preparedness Offsite Coordinator presented information on the emergency plan of the Cooper Nuclear Station. Gregg Goebel, Otoe County Emergency Manager, provided information on the county's plan in an event with the station.

Chairman Sornson read a letter submitted by Talmage Rural Volunteer Fire Department thanking Gregg Goebel, EMA Manager, for his assistance with the grant process for a new generator.

The agenda item regarding the updating of the meal reimbursement policy was tabled.

Cole made a motion, seconded by Freshman, to cancel check #24080090 in the amount of \$444.00 payable to Tri-State Rentals. The payment was found to be a duplicate payment. Voting aye were Cole, Sornson, Freshman, Parsons, and Crownover. Nay – none. Motion carried.

Cole made a motion, seconded by Crownover, to go into recess at 9:49 a.m. Voting aye were Sornson, Freshman, Parsons, Crownover, and Cole. Nay – none. Motion carried. Cole made a motion, seconded by Freshman, to reconvene at 9:53 a.m. Voting aye were Freshman, Parsons, Crownover, Cole, and Sornson. Nay – none. Motion carried.

Cole made a motion, seconded by Parsons, to approve a contract with CJS Construction for the Syracuse Construction Project. The total amount of the contract is \$298,457.00. Voting aye were Parsons, Crownover, Cole, Sornson, and Freshman. Nay – none. Motion carried.

Crownover made a motion, seconded by Cole, to engage Midwest Engineering as the engineers for the Syracuse Construction Project. Voting aye were Crownover, Cole, Sornson, Freshman, and Parsons. Nay – none. Motion carried.

Brian Briley, Road Lead Supervisor, presented the Road Supervisor's report.

Tony Burkhalter, Nebraska Public Employees Local 251, President, presented proposed updates to the Collective Bargaining Agreement for the Otoe County Roads Department. There was discussion about several items within the contract, but it was decided that the board would like to review the updates and have further discussions about the negotiations at the next meeting. Following the boards' discussion at the Sept. 24, 2024, meeting, two commissioners will continue and finalize the negotiations to update the agreement. The board agreed that Jenniffer Panko-Rahe could communicate with Mr. Burkhalter regarding the proposal prior to the next meeting.

There was no public comment.

At 11:01 a.m. the meeting was adjourned.

I, Jennifer Bassinger, County Clerk of Otoe County, do hereby certify that the above minutes were taken by me, and are true and correct to the best of my knowledge, and I therefore set my hand and affix the county seal this 10th day of September 2024.

Jennifer Bassinger
Otoe County Clerk